



**UNITED STATES HOUSE OF REPRESENTATIVES
OFFICE OF THE MAJORITY WHIP
THE HONORABLE JAMES E. CLYBURN (SC-06)**

THE WHIP PACK

WEEK OF OCTOBER 22, 2007

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Bill Text and Background for the Week of October 22, 2007

- H.R. 1011 – Virginia Ridge and Valley Act of 2007
- H.R. 1483 – To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes
- H.R. 3685 – Employment Non-Discrimination Act of 2007
- H.R. 505 – Native Hawaiian Government Reorganization Act of 2007
- H.R. 3867 – Small Business Contracting Program Improvements Act

H.R. 1011 - VIRGINIA RIDGE AND VALLEY ACT (*Rep. Boucher – Natural Resources*) (*Subject to a Rule*)

Bill Text: [HTML Version](#), [PDF Version](#)
[Bill Summary and Status](#)

Rules Committee: [Rule](#), [Committee Report](#), and [roll call votes](#), [Special Announcement](#), [Amendment Process Announcement](#), [Summary and Text of Amendments Submitted](#)

Committee: [Committee on Natural Resources](#)

Committee Staff Contact: 5-6065

LEGISLATION AT A GLANCE:

Wilderness, Wilderness Study, Potential Wilderness, and Scenic Areas. H.R. 1011 designates nearly 43,000 acres of the Jefferson National Forest as wilderness and nearly 12,000 acres as National Scenic Areas. The bill designates six new wilderness areas, makes six additions to existing wilderness areas, adds a new wilderness study area, creates two new National Scenic Areas, and directs the Forest Service to develop trail plans.

Areas Recommended or Endorsed for Designation. Each of the areas contained in H.R. 1011 were either recommended for designation as part of the Jefferson National Forest Plan or have been endorsed by the relevant local County Board of Supervisors. All of the areas in H.R. 1011 are located in the district of Representative Boucher, with the exception of a parcel in the district of Natural Resources Committee Chairman Nick J. Rahall, II.

Bipartisan Bill with Broad Support. H.R. 1011 is cosponsored by a bipartisan group of Representatives from Virginia, including Reps. Frank Wolf, Tom Davis, Jim Moran, and Bobby Scott. The Senate companion measure is sponsored by Senator John Warner and cosponsored by Senator Jim Webb. Furthermore, H.R. 1011 has broad support from others such as Governor Tim Kaine, four County Boards of Supervisors, local businesses, state organizations, faith groups, the International Mountain Bicycling Association, and local bear hunters.

House Report 110-315:

Part 1: [HTML Version](#), [PDF Version](#)

Full Committee Mark-up:

[Full Committee Markup](#), June 28, 2007

Summary of Committee Votes:

- Chairman Grijalva D-Ariz. Deer and Bear Hunting Amendment — Allows the seasonally-opened segment of forest development road 6261 in the proposed Bear Creek National Scenic Area to be open during bear and deer hunting seasons. **Adopted by Voice Vote.**
- Rep. K. McCarthy, R-Calif. Jefferson National Forest Amendment — Would have struck provisions in the bill that would designate certain lands in the Jefferson National Forest as Brush Mountain East Wilderness (3,769 acres) and as Brush Mountain Wilderness (4,794 acres). **Rejected by Voice Vote.**

- Rep. Sali, R-Idaho Recreation and Motor Access Amendment — Would have changed the management priorities of the National Scenic Areas in H.R. 1011 by opening the wilderness areas designated in the bill to motor vehicles and recreation. **Rejected by Voice Vote.**
- Rep. Sali, R-Idaho Wilderness Maintenance — Would have added language to the bill to open the wilderness that would be designated under the bill for ecosystem maintenance, wildlife restoration and wildfire reduction, which would have included prescribed timber fire harvesting. The amendment would have allowed temporary roads to be built to carry out the maintenance. **Rejected by Voice Vote.**
- Rep. R. Bishop, R-Utah Acreage Reduction Amendment — En bloc amendment that would have struck out the Brush Mountain Wilderness, Brush Mountain East Wilderness, Raccoon Branch Wilderness, Mountain Lake Addition B, Lynn Camp Creek Wilderness Study Area, Kimberling Creek Potential Wilderness Area, and would have deleted portions of the Shawvers Run Additions and reduced the wilderness that would be designated under the bill by approximately 3,000 acres. **Rejected by Voice Vote.**
- **Vote to Report:** Favorably Reported to the Full House, as Amended, by **Voice Vote.**

CRS Reports:

(TBA)

GAO Reports:

(TBA)

CBO Report:

Cost Estimate: Ordered Reported by the Committee on Natural Resources

Subcommittee on National Parks, Forests and Public Lands Hearing:

Legislative Hearing On H.R. 523 And H.R. 1011, May 10, 2007

Opening Statement: Chairman Raul Grijalva

Witness Testimony:

- The Honorable Rick Boucher (VA-09) (H.R. 1011)
- Mr. Joel Holtrop (H.R. 1011), Deputy Chief, National Forest System, USDA Forest Service
- Mr. Tom Davenport, Manager, Mt. Rogers Outfitters, Damascus, VA
- Mr. John Muffo, Supervisor, Montgomery County Board of Supervisors, Blacksburg, VA
- Mr. Gerald Gray, Clintwood, VA
- Mr. Steve Henson, Executive Director, Southern Appalachian Multiple-Use Council, Clyde, NC

Full Committee on Agriculture Hearing:

Public Hearing To review H.R. 1011, the Virginia Ridge and Valley Act of 2007, September 27, 2007

Witness Testimony:

- [Mr. Joel Holtrop](#), Deputy Chief for State & Private Forestry, Forest Service, U.S. Department of Agriculture, Washington, D.C.
- [Mr. Paul Howe](#), Executive Vice President, Virginia Forestry Association, Richmond, Virginia
- [Mr. C. Dowd Bruton](#), Senior Regional Wildlife Biologist, National Wild Turkey Federation, Traphill, North Carolina
- [The Honorable John A. Muffo](#), Virginia Board of Supervisors, Montgomery County, Virginia, Blacksburg, Virginia
- [Mr. Tom R. Davenport](#), Business Manager, Mt. Rogers Outfitters, Damascus, Virginia

Organization Statements:

(TBA)

Administration Position:

(TBA)

Fact Sheets & Talking Points:

Summary of H R 1011, Committee on Natural Resources

Press Releases, News Articles & Related Information:

[House Agriculture Committee Reviews the Virginia Ridge and Valley Act of 2007](#),
September 27, 2007

Other Resources:

[Cosponsors of H.R.1011](#)

H.R. 1483 - TO AMEND THE OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996 TO EXTEND THE AUTHORIZATION FOR CERTAIN NATIONAL HERITAGE AREAS, AND FOR OTHER PURPOSES *(Rep. Regula – Natural Resources) (Subject to a Rule)*

Bill Text: [HTML Version](#), [PDF Version](#)

[Bill Summary and Status](#)

Rules Committee: [Rule, Committee Report, and roll call votes](#), [Special Announcement](#)

Committee: [Committee on Natural Resources](#)

Committee Staff Contact: 5-6065

LEGISLATION AT A GLANCE:

Authorizes Funding for Nine Existing National Heritage Areas. H.R. 1483 would authorize additional funding for nine national heritage areas (NHAs): America's Agricultural Heritage Partnership (Silos and Smokestacks) (IA), Augusta Canal (GA), Essex (MA), Hudson River Valley (NY), Coal (WV), Ohio and Erie Canal (OH), Rivers of Steel (PA), South Carolina (SC), and Tennessee Civil War (TN), and requires the Secretary of the Interior to evaluate the long-term viability of each of these existing national heritage areas.

Establishes Six New Heritage Areas. The bill, as amended, would establish six new national heritage areas: Journey through Hallowed Ground NHA (VA, WV, MD and PA); Niagara Falls NHA (NY), Muscle Shoals NHA (AL), Freedom's Way NHA (MA and NH), Abraham Lincoln NHA (AZ); and Santa Cruz Valley NHA (AZ). Each of these proposed national heritage areas have been studied and meet the standards set forth for suitability and feasibility of such areas. Supporters of each area include residents, business interests, nonprofit organizations, and local and state governments who are all involved in the planning. Each proposed national heritage area has also identified a potential management entity and developed a conceptual boundary map that is supported by the public.

Authorizes Study of Potential New Heritage Area and Make technical corrections to Six Existing NHA's. H.R. 1483 would require a study of Virginia's Northern Neck as a possible national heritage area; make technical changes to the management language governing the Ohio and Erie Canal National Heritage Corridor, National Coal Heritage Area, and Erie Canalway National Heritage Corridor (NY); add counties to the South Carolina and Rivers of Steel NHAs; and temporarily extend the authorization of the New Jersey Coastal Heritage Trail Route.

House Report 110-388:

[HTML Version](#), [PDF Version](#)

Full Committee Mark-up:

[Full Committee Markup](#), September 26, 2007

[National Journal Report](#)

Summary of Committee Votes:

- Rep. R. Bishop, R-Utah Private Property Protection Amendment to the Substitute Amendment — Would have required notification and consent of private property owners by the management plan of the national heritage area if the plan seeks to preserve, conserve or promote the property. In addition, any owner of private property within the boundaries of a heritage area would have been able to get his or her property removed from the area by submitting a written request to the management entity. **Rejected by Voice Vote.**
- Rep. Flake, R-Ariz. Funding a National Heritage Area in Perpetuity Amendment to the Substitute Amendment — Expresses the sense of Congress that the federal government should not fund a national heritage area in perpetuity. **Adopted by Voice Vote.**
- Rep. Lamborn, R-Colo. Energy and Water Infrastructure Amendment to the Substitute Amendment — Would have denoted that nothing in the management plans created for the heritage areas would be able to restrict current or future development and management of water-related and energy infrastructures and easements and environmental mitigation related to those infrastructures. **Withdrawn.**
- Rep. Rahall, D-W.Va. Energy and Water Infrastructure Amendment to the Substitute Amendment — Stipulated that the development and management of energy, water and water-related infrastructure would not be affected by designation of a national heritage area. **Adopted by Voice Vote.**
- Rep. Heller, R-Nev. Journey Through Hallowed Ground National Heritage Area Amendment to the Substitute Amendment — Would have prohibited Virginia's 5th and Maryland's 6th congressional districts to be included within the boundaries of the Journey Through Hallowed Ground National Heritage Area. **Rejected by Voice Vote.**
- Rep. Grijalva, D-Ariz. Substitute Amendment — Substitute amendment that increases the amount authorized for the nine national heritage areas in the original version of the bill from \$10 million to \$15 million and add six new areas. The six areas are the Journey Through Hallowed Ground in Pennsylvania, Maryland, Virginia and West Virginia; Niagara Falls, N.Y.; Muscle Shoals, Ala.; Freedom's Way in New Hampshire and Massachusetts; the Abraham Lincoln area throughout Illinois; and Santa Cruz Valley in Arizona. It defines the size of each area, describe what should be required in any management plan for the area, explain the private property and regulatory protections as it relates to the area, authorize up to \$1 million each fiscal year with a total of \$15 million over the course of 15 years. The authorization for funding would end in 15 years. The substitute also denotes that for the nine national heritage areas and the six new areas in the bill, there would have to be a report evaluating them within three years of the date that their federal funding terminates. **Adopted by Voice Vote.**
- **Vote to Report:** Favorably Reported to the Full House, as Amended, by a **Recorded Vote of 23-12: R 1-12; D 22-0; I 0-0.**

CRS Reports:

[RL33462](#): Heritage Areas: Background, Proposals, and Current Issues

GAO Reports:

[GAO-04-593T](#): National Park Service: A More Systematic Process for Establishing National Heritage Areas and Actions to Improve Their Accountability Are Needed, March 30, 2004

CBO Report:

[Cost Estimate](#): Ordered Reported by the Committee on Natural Resources

Subcommittee On National Parks, Forests And Public Lands Hearing:

[Legislative Hearing On H.R. 1239, H.R. 1388, H.R. 1483 And H.R. 1528](#), May 15, 2007

Opening Statement: [Chairman Raul Grijalva](#)

Witness Testimony:

- [The Honorable Ralph S. Regula](#) (OH-16) (H.R. 1483)
- [Mr. Chris Jarvi](#), Associate Director for Partnerships and Visitor Experience, National Park Service
- [Mr. Daniel M. Rice](#) (H.R. 1483), President & Chief Executive Officer, Ohio & Erie Canalway Coalition
- [Ms. Kristina Rasmussen](#) (H.R. 1483), Senior Government Affairs Manager, National Taxpayers Union

[Legislative Hearing On H.R. 442, H.R. 761, H.R. 1625, H.R. 1835 And H.R. 2197](#), June 14, 2007

Opening Statement: [Chairman Raul Grijalva](#)

Witness Testimony:

- [Ms. Nicky Stratton](#) (H.R. 1625), Looking for Lincoln Heritage Coalition

[Legislative Hearing On H.R. 105, H.R. 1083, H.R. 1145, H.R. 1297, H.R. 1815, H.R. 1885](#), July 12, 2007

Opening Statement: [Chairman Raul Grijalva](#)

Witness Testimony:

- [The Honorable Robert E. Cramer Jr.](#), AL-05 (H.R. 1145)
- [The Honorable John W. Oliver](#), MA-01 (H.R. 1297)
- [The Honorable Phil English](#), PA-03 (H.R. 1083)
- [The Honorable Frank A. LoBiondo](#), NJ-02 (H.R. 1815)
- [Ms. Janet Snyder Matthews](#), Associate Director, Cultural Resources, National Park Service
- [Ms. Linda Mayro](#) (H.R. 1885), Cultural Resources Manager, Pima County Administration
- [Mr. August R. Carlino](#) (H.R. 1083), President & CEO, Rivers of Steel National Heritage Area
- [Ms. Nancy C. Gonce](#) (H.R. 1145), Executive Director, Muscle Shoals Regional Center
- [Ms. Marge Darby](#) (H.R. 1297), Freedom's Way Heritage Association
- [Ms. Meghan Wren](#) (H.R. 1815), Executive Director, Bayshore Discovery Project

Natural Resources Committee Mark-up:

The Natural Resources Committee expanded the bill to include other measures, including the establishment of six new areas, which were also the subject of other legislation. The Natural Resources Committee has separately reported two measures — a bill (HR 319; H Rept 110-95) to establish the Journey Through Hallowed Ground National Heritage Area in parts of Maryland, Virginia, Pennsylvania, and West Virginia, and another bill (HR 713; H Rept 110-219) to create the Niagara Falls National Heritage Area in New York. The committee also held hearings on four other bills that would establish the Muscle Shoals National Heritage Area in Alabama (HR 1145), the Freedom's Way National Heritage Area in Massachusetts (HR 1297), the Abraham Lincoln National Heritage Area in Illinois (HR 1625), and the Santa Cruz Valley National Heritage Area in Arizona (HR 1885).

[Full Committee Markup of H.R. 319 - Journey through Hallowed Ground NHA Act](#), March 7, 2007

[Full Committee Markup of H.R. 713 - Niagara Falls National Heritage Area Act](#), May 2, 2007

Organization Statements:

(TBA)

Administration Position:

(TBA)

Fact Sheets & Talking Points:

HR1483 Bill Summary, Committee on Natural Resources

Press Releases, News Articles & Related Information:

(TBA)

Other Resources:

[Cosponsors of H.R. 1483](#)

H.R. 3685 – EMPLOYMENT NON-DISCRIMINATION ACT OF 2007 (Rep. Frank – Education and Labor) (Subject to a Rule)

Bill Text: [HTML Version](#), [PDF Version](#)
[Bill Summary and Status](#)

Rules Committee: Tuesday, October 23, 2007 at 3:00 p.m. in H-313 the Capitol, [Text of Reported Bill](#), [Special Announcement](#), [Summary and Text of Amendments Submitted](#)

Committee: [Committee on Education and Labor](#)

Committee Staff Contact: 5-3725

LEGISLATION AT A GLANCE:

The Employment Non-discrimination Act (“ENDA”) (H.R. 3685) makes it illegal to fire, refuse to hire, or otherwise discriminate against employees simply based on their actual or perceived sexual orientation. ENDA will extend basic civil rights protections to millions of gay, lesbian, and bisexual (GLB) Americans.

WHY ENDA IS NEEDED. It is fundamental to equal opportunity that employment decisions should be based on a person's qualifications and job performance, not who they are. While many employers agree – 90% of Fortune 500 companies now include sexual orientation in their nondiscrimination policies – anti-gay discrimination persists. Currently, it is legal in 30 states to fire someone simply because of his or her sexual orientation. A 2007 study found that 16 percent of lesbians and gay men reported being fired or denied a job because of sexual orientation. A 2005 survey found that a quarter of GLB people disagreed with a statement that most employers in their areas would hire openly GLB people even if they are qualified for the job.

WHERE ENDA APPLIES. Like other civil rights laws, ENDA applies to private sector employers with 15 or more employees, employment agencies, labor organizations, and joint labor-management committees. ENDA also applies to Congress and the federal government, as well as state and local governments.

WHERE ENDA DOES NOT APPLY. ENDA does not apply to members of the armed forces. ENDA also excludes private membership clubs and religious organizations, such as religious corporations, associations, and schools. ENDA uses Title VII's definition of a religious organization, such that if an organization is exempt from Title VII's religious discrimination prohibitions, it will be exempt from ENDA's prohibitions.

HOW ENDA WORKS. ENDA authorizes the same enforcement powers, procedures and remedies that exist under current federal employment discrimination laws such as Title VII and the Americans with Disabilities Act. All individual relief that is available under Title VII is available under ENDA. However, unlike Title VII protections, ENDA does not allow an individual to bring a "disparate impact" claim -- that is, a claim that a facially neutral practice of the employer has a disproportionate adverse effect on persons of a particular sexual orientation. In addition, ENDA does not allow for affirmative action or quotas based on sexual orientation.

GENDER IDENTITY. The Education and Labor Committee plans to ask that an amendment by Rep. Tammy Baldwin to expand ENDA to include gender identity protections be made in order. Democratic Committee Members support passage of the Baldwin Amendment.

House Report:
[HTML Version](#), [PDF Version](#)

Full Committee Mark-up:

[Full Committee Markup: H.R.3685 "Employment Non-Discrimination Act of 2007" and H.R. 3796 "Early Warning and Health Care for Workers Affected by Globalization Act"](#), October 18, 2007

[National Journal Report](#)

Opening Statement: [Chairman George Miller](#)

Summary of Committee Votes:

- [Rep. Souder, R-Ind. "Perceived" Sexual Orientation Amendment](#) — Would have removed from the bill the requirement that an employee cannot be discriminated against because of his or her "perceived" sexual orientation by an employer. **Rejected 18-30: R 18-3; D 0-27; I 0-0.**
- [Rep. Souder, R-Ind. Employment Conditioned on Marriage Amendment](#) — Would have removed from the bill a provision that would ban employers in states where gays and lesbians are not allowed to marry from conditioning employment on whether someone is married or is eligible to be married. **Rejected 18-30: R 18-3; D 0-27; I 0-0.**
- [Rep. Souder, R-Ind. Diversity Training Amendment](#) — Would have made it illegal for an employer to discriminate against an employee because the employee refused to consent to an employer's anti-discrimination policy or to participate in a diversity training program because the contents of the policy or program went against the employee's "sincerely held religious beliefs regarding sexual orientation." **Rejected 19-29: R 19-2; D 0-27; I 0-0.**
- [Rep. Hoekstra, R-Mich. Faith-Based Organizations Amendment](#) — Would have added religious institutions that are associated with a "faith-based" mission but not necessarily affiliated with a particular religious denomination or church to the list in the bill of religious organizations exempt from the non-discrimination practices. **Rejected 21-27: R 21-0; D 0-27; I 0-0.**
- **Vote to Report:** Favorably Reported to the Full House, as Amended, by a **Recorded Vote of 27-21: R 4-17; D 23-4; I 0-0.**

CRS Reports:

[RS22740](#): Sexual Orientation Discrimination in Employment: Analysis of H.R. 3685, the Employment Non-Discrimination Act of 2007

GAO Reports:

(TBA)

CBO Report:

(TBA)

Subcommittee on Health, Employment, Labor and Pensions Hearing:

[Hearing on "The Employment Non-Discrimination Act of 2007 \(H.R. 2015\)"](#), September 5, 2007

Opening Statement: [Chairman Andrews](#)

Witness Testimony:

- [Congresswoman Tammy Baldwin](#), 2nd Congressional District of Wisconsin
- [Congressman Emanuel Cleaver](#), M5th Congressional District of Missouri
- [Michael Carney](#), Police Officer, Springfield, Massachusetts
- [Brooke Waits](#), Dallas, Texas
- [Mark Fahleson](#), Attorney, Rembolt Ludtke LLP, Lincoln, Nebraska
- [Lee Badgett](#), Research Director, Williams Institute at UCLA School of Law
Los Angeles, California
- [Helen Norton](#), Associate Professor of Law, University of Colorado School of Law,
Boulder, Colorado
- [Nancy Kramer](#), Founder and CEO, Resource Interactive, Columbus, Ohio
- [Kelly Baker](#), Vice President of Diversity, General Mills, Inc., Minneapolis, Minnesota
- [Larry Lorber](#), Partner, Proskauer Rose, Washington, D.C.

Organization Statements:

Support Letter: General Conference – Seventh Day Adventist Church, Union of Orthodox
Jewish Congregations of America, U.S. Conference of Bishops

Employers that support passage of the Employment Non-Discrimination Act: [HRC](#)

[Business Coalition for Workplace Fairness](#)

[AFL-CIO Support Letter HR 3685](#)

[UAW Support Letter HR 3685](#)

[NAACP Support Letter HR 3685](#)

Administration Position:

The Administration opposes passage of H.R. 505. [Statement of Administration Policy.](#)

Fact Sheets & Talking Points:

ENDA Fact Sheet, Ed and Labor Committee

Press Releases, News Articles & Related Information:

[One Inch at a Time On the Employment Non-Discrimination Act](#), Center for American
Progress, Winnie Stachelberg, October 22, 2007

[House Labor Committee Passes Historic Legislation to End Employment Discrimination
Based on Sexual Orientation](#), October 18, 2007

[Baldwin Will Offer Gender Identity Amendment to ENDA](#), Press Release, October 17

[MEMO from Chairman Frank on ENDA](#), October 16, 2007

[2007 Statement of Chairman Frank in Special Order Regarding ENDA, House of
Representatives](#), October 09, 2007

[Pelosi, Miller, Frank and Baldwin Statement on ENDA](#), October 1, 2007

[Congress Must Act to End Employment Discrimination Based on Sexual Orientation.](#)

[Witnesses tell Labor Subcommittee](#), September 5, 2007

[2008 Corporate Equality Index - Full Report](#)

Other Resources:

[Cosponsors of H.R.3685](#)

H.R. 505 – NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2007 (Rep. Abercrombie - Natural Resources) (Subject to a Rule)

Bill Text: [HTML Version](#), [PDF Version](#)
[Bill Summary and Status](#)

Rules Committee Meeting: [Rule, Committee Report, and roll call votes](#), [Amendment Process Announcement](#), [Special Announcement](#)

Committee: [Committee on Natural Resources](#)

Committee Staff Contact: 5-6065

LEGISLATION AT A GLANCE:

Process for Reorganization. H.R. 505 provides a process for the reorganization of a single Native Hawaiian governing entity and reaffirms the special political and legal relationship between the United States and Native Hawaiians. The bill establishes a process to form a Native Hawaiian governing entity that could negotiate with the state and federal government on behalf of the indigenous people of Hawaii. Since the annexation of the Territory of Hawaii, Native Hawaiians, Hawaii's indigenous peoples, have been treated by Congress in a manner similar to American Indians and Alaska Natives. This legislation codifies the Federal relationship with Native Hawaiians, as expressed in over 160 laws.

Establishes Office for Native Hawaiian Relations and Interagency Coordinating Group. H.R. 505 establishes the U.S. Office for Native Hawaiian Relations within the Office of the Secretary of the Interior. The Office for Native Hawaiian Relations would effectuate and coordinate the relationship between the Native Hawaiian governing entity and the United States through the Secretary, and with all other Federal agencies. Furthermore, the Office for Native Hawaiian Relations would consult with the Native Hawaiian governing entity and with the Interagency Coordinating Group, (established by this legislation) to coordinate federal programs and policies that affect Native Hawaiians, their resources and their lands.

Establishes Native Hawaiian Relations Commission and Affirms of Existing Law & Sovereign Immunity. This legislation establishes a Commission to prepare and maintain a roll of the adult members of the Native Hawaiian community. H.R. 505 clearly states that civil and criminal jurisdiction currently held by the federal and state governments will remain with the federal and state governments, unless further legislation is enacted.

No Gaming. H.R. 505 makes it clear that the Native Hawaiian Governing entity will not be authorized to conduct gaming under the authority of federal law. Moreover, all forms of gaming are criminally prohibited under the laws of the State of Hawaii.

No eligibility for BIA programs. H.R. 505 makes it clear that Native Hawaiians are not eligible for Indian programs or services and thus do not compete with program funding for American Indians and Alaska Natives.

House Report 110-389:
[HTML Version](#), [PDF Version](#)

Full Committee Mark-up:
[Full Committee Markup](#), May 2, 2007

Summary of Committee Vote:

- **Vote to Report:** Favorably Reported to the Full Committee by **Voice Vote**.

CRS Reports:

[RS21499](#): Indian Gaming Regulatory Act: Gaming on Newly Acquired Lands

GAO Reports:

(TBA)

CBO Report:

[Cost Estimate](#): Ordered Reported by the Committee on Natural Resources

Organization Statements:

HR 505 List of Supporters, This bill is supported by our Democratic State Legislature, our Republican Governor Linda Lingle, the National Congress of American Indians, the Alaska Federation of Natives, national organizations (including the American Bar Association, the National Education Association and the Asian American Justice Center) and local groups (including the state AFL-CIO and the Hawaii State Teachers Association).

Administration Position:

The Administration strongly opposes passage of H.R. 505. [Statement of Administration Policy](#).

Fact Sheets & Talking Points:

HR 505 Summary, Committee on Natural Resources

HR 505 Fact Sheet

Press Releases, News Articles & Related Information:

[Abercrombie Introduces Native Hawaiian Government Reorganization Bill in U.S. House](#), Press Release, January 17, 2007

Other Resources:

[Cosponsors of H.R.505](#)

Related Measure [S.310](#)

[Senate Committee on Indian Affairs Legislative Hearing on S. 310, the Native Hawaiian Government Reorganization Act of 2007](#), May 3, 2007

H.R. 3867 - SMALL BUSINESS CONTRACTING PROGRAM IMPROVEMENTS ACT (Rep. Velazquez – Small Business) (Subject to a Rule)

Bill Text: [HTML Version](#), [PDF Version](#)
[Bill Summary and Status](#)

Rules Committee: Tuesday, October 23, 2007 at 3:00 p.m. in H-313 the Capitol,
[Amendment Process Announcement](#), [Text of Bill as Ordered Reported](#), [Special Announcement](#), [Summary and Text of Amendments Submitted](#)

Committee: [Committee on Small Business](#)

Committee Staff Contact: 5-4038

LEGISLATION AT A GLANCE:

H.R. 3867, the Small Business Contracting Program Improvements Act encourages participation by qualified small businesses, particularly veteran owned businesses, in the appropriate contracting programs offered under the supervision of the Small Business Administration. The Act amends key sections of the Small Business Act to assist small business participation, prevent fraud and bring consistency to the operation of the main contract assistance programs.

Ensuring Government Contract Opportunities for Small Businesses Owned and Controlled by Service-Disabled Veterans. Title I expands procurement opportunities for service-disabled veteran-owned businesses; a group that currently receives only a small fraction of their contracting goal. Further, it creates penalties for misrepresentation of a service-disabled veteran owned business classification and adopts a roadmap for providing information, advice and training to service-disabled veterans as prescribed by President. Finally, it provides discretion to contracting officers in cases that must now be set aside for HUBZones but that could, with these amendments be used for service-disabled veteran-owned businesses.

Protecting Taxpayers and Ensuring Program Consistency. Title II provides that the Administrator perform the necessary checks on applicants for participation in the in the various contracting assistance programs to ensure their business integrity and qualifications. This is already required by most programs but this makes it uniform.

Expanding Opportunities for Women Entrepreneurs. Title III sets out requirements for the SBA to implement the Women's Procurement Program immediately. The SBA has taken too much time to implement the Women's Procurement Program. This bill will provide agencies will sufficient information to immediately begin competing contracts among women business owners. Women have been waiting nearly seven years for this – they have lost tens of billions of dollars in contracting opportunities – and they will not have to wait any longer.

Strengthening Community Development. Title IV strengthens the HUBZone program by verifying that small businesses receiving contracts under its authority are qualified. It further requires construction contracts to be performed within a reasonable distance of the particular HUBZone the contractor is to benefit.

Modernizing the 8(a) Program. Title V modernizes the 8(a) program to update and revise the qualification requirements, extend and realign the program term for participation and ensure that contracts issued under the authority of 8(a) go only to 8(a) qualified companies.

Bipartisan Bill with Broad Support. This legislation has bipartisan support within this committee and includes the input from a number of Members. There is remarkably broad support on this legislation, ranging from the National Black Chamber of Commerce to the National Federation of Independent Business and the Associated General Contractors of America. Also supporting the legislation are the American Legion, the Veterans of Foreign Wars, and AMVETS. The United States Hispanic Chamber of Commerce, the U.S. Women's Chamber of Commerce, and the National Defense Industrial Association also support this bill.

House Report 110-400:

[HTML Version](#), PDF Version

Full Committee Mark-up:

[Committee Markup](#), October 18, 2007

[National Journal Report](#)

Summary of Committee Votes:

- Rep. Akin, R-Mo. Strike 8(a) Participant Net Worth Increase Amendment — Would have struck a provision in the bill that would provide for an inflationary increase in the net worth of 8(a) program recipients to \$550,000 prior to program entry. The 8(a) program uses the procurement process to help minority-owned small businesses. **Withdrawn.**
- Rep. Akin, R-Mo. Strike HUBZone Construction Contract Geographic Limitation Amendment — Would have struck a provision in the bill that would limit the awarding of construction contracts with the HUBZone preference if the work would be performed in excess of 150 miles of the primary office location of the HUBZone-approved company. "HUBZones" are historically underutilized business zones in urban and rural areas with lower-than-average incomes. **Withdrawn.**
- Rep. R. Bartlett, R-Md. Strike Program Recipient Integrity Assessment Amendment — Would have struck a provision that would prevent a company from receiving benefits provided by the 8(a) program or HUBZone program if the business owner has been shown not to have integrity. **Withdrawn.**
- Rep. R. Bartlett, R-Md. Direct Agencies to Ensure Contract Non-Competition Amendment — Would have struck a provision that would remove a requirement that agencies ensure that only one company can perform a contract before awarding the contract to a service-disabled veteran-owned company. **Rejected 8-16: R 8-0; D 0-16; I 0-0.**
- Rep. R. Bartlett, R-Md. Strike 8(a) Program Participation Time Extension Amendment — Would have struck a provision in the bill that would extend the amount of time a company may participate in the 8(a) program term by one year. The 8(a) program uses the procurement process to help minority-owned small businesses. **Withdrawn.**
- **Vote to Report:** Favorably Reported to the Full House, as Amended, by a **Recorded Vote of 21-4: R 4-4; D 17-0; I 0-0.**

CRS Reports:

(TBA)

GAO Reports:

(TBA)

CBO Report:

(TBA)

Full Committee Hearing:

[Small Business Committee hearing to examine the Small Business Administration's \(SBA\) contracting programs](#), September 19, 2007

Organization Statements:

(TBA)

Administration Position:

(TBA)

Fact Sheets & Talking Points:

(TBA)

Press Releases, News Articles & Related Information:

(TBA)

Other Resources:

[Cosponsors of H.R. 3867](#)

Updates can be found by visiting http://www.majoritywhip.gov/whip_pack/ throughout the week.